



Government of
Saskatchewan

**The Criminal Injuries
Compensation Act of
Saskatchewan
Fiscal Year End Report
April 1, 1985 to March 31, 1986**

**Administered by the Criminal
Injuries Compensation Board
for the Department of Justice**

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LETTER OF TRANSMITTAL

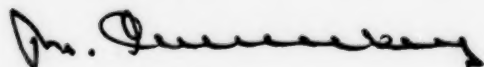
October 1, 1986

The Honourable Sid Dutchak
Attorney General for Saskatchewan
Department of Justice
Legislative Building
Regina, Saskatchewan
S4S 0B3

Honourable Sir:

I have the honour to submit the Fiscal Year End Report of the Criminal Injuries Compensation Board which covers the period of April 1, 1985 to March 31, 1986.

Respectfully yours,

A handwritten signature in dark ink, appearing to read "Mr. Cherneskey", with a stylized flourish at the end.

Morris Cherneskey, Q.C., Chairman

PROGRAM DESCRIPTION

THE LEGISLATION

The legislation under which the Board functions is The Criminal Injuries Compensation Act, Chapter 47 which came into force on September 1, 1967. The Criminal Injuries Compensation regulations came into effect on April 8, 1984.

AMOUNT OF COMPENSATION

3(1) Subject to Section (2), the maximum amount of compensation that may be awarded by the Board pursuant to the Act in respect to any one case before it is \$7,500.

(2) The Board shall obtain the prior approval of the Lieutenant Governor in Council before making an award of compensation that exceeds \$7,500.

The minimum payment that can be awarded is not to be less than \$50.

SCHEDULE TO THE ACT

The list of offences included in the Schedule to the Act are as follows:

<u>SECTION OF THE CRIMINAL CODE</u>	<u>OFFENCE</u>
66	Taking part in a riot.
78	Breach of duty to take reasonable care of explosives.
79	Intentionally cause injury with explosives.
146(1)	Sexual intercourse with a female under 14.
146(2)	Sexual intercourse with a female under 14 or more and under 16 years of age.
150	Incest.
153	Sexual intercourse with stepdaughter, foster daughter, female ward or employee if accused is more to blame.
157	Acts of gross indecency.
176	Common nuisance causing bodily harm.

<u>Section of the Criminal Code</u>	<u>Offence</u>
200	Abandoning a child.
202	Criminal negligence.
203	Criminal negligence causing death.
204	Criminal negligence causing bodily harm.
212, 218	Murder.
217, 219	Manslaughter.
222	Attempted murder.
228	Causing bodily harm with intent
229	Administering noxious things
230	Overcoming resistance to commission of offence.
231	Setting traps.
232	Interfering with transportation facilities.
233	Criminal negligence in the operation of a motor vehicle - dangerous driving.
234	Impaired driving.
236	Drive while blood/alcohol over .08.
240(1),(4)	Dangerous operation of a vessel.
241	Impeding an attempt to save a life.
244, 245	Assault.
245.1	Assault with a weapon or causing bodily harm.
245.2	Aggravated assault.
245.3	Unlawfully cause bodily harm.
246	Assaulting a peace officer.
246.1	Sexual Assault.
246.2	Sexual assault with a weapon or causing bodily harm
246.3	Aggravated sexual assault.

<u>Section of the Criminal Code</u>	<u>Offence</u>
247	Kidnapping and unlawful confinement
251 (1)	Procuring a miscarriage
302, 303	Robbery.
381 (1) (a)	Intimidation by violence or threats.
387 (2)	Mischief causing actual danger to life.
389	Arson
392	Causing fire resulting in loss of life.
393	False fire alarm.

The Board is required by the Act to find the commission of a crime (in the principal class of applications coming before it). A basic qualification for the consideration of an award is that there must be adequate and reliable evidence in this regard. In addition, the Board is required to consider all relevant circumstances including the behaviour of the victim at the time of the incident and the extent to which the applicant co-operated with the law enforcement authorities.

Section 12(1)(a) of the statute prescribes a one-year limitation period for filing an application for compensation, but the Board may extend the time as is considers warranted.

Section 13. Compensation may be awarded by the Board under this Act in respect of any one or more of the following matters:

- (a) Expenses actually and reasonably incurred as a result of the victim's injury or death and any other expenses that, in the opinion of the Board it is reasonable to incur;
- (b) Pecuniary loss to the victim resulting from the total or partial incapacity of the victim to work;
- (c) Pecuniary loss to dependents as a result of the victim's death;
- (d) Other pecuniary loss resulting from the victim's injury;
- (e) Pain and suffering of the victim.

Section 23(1) Subject to subsections (2) and (3), in determining the amount of compensation, if any, to be awarded to an applicant, the Board shall deduct:

- (a) any amount received or to be received by the victim in respect of his injury, or by his dependents in respect to the death of the victim, under or pursuant to any other Act of Canada or Saskatchewan or of any other province or territory of Canada.
- (b) any amount received from the person whose act or commission resulted in the injury or death, whether as damages or compensation, pursuant to an action at law or otherwise.

HEARINGS

The three members of the Board, who participate on a part-time basis, usually sit on a weekly schedule. Hearings take place in Saskatoon, Regina, and Prince Albert. Some applications which are relatively minor and simple of adjudication, are, with the consent of the applicant, dealt with on documentary evidence alone. This minimizes the need to inconvenience the applicant and/or solicitor, and witnesses insofar as travelling to the location of the hearings, the attendant loss of work time and expenses involved. This also reduces the administrative costs, such as Board members' travel time, accommodation, witness and counsel fees, etc.

FUNDING

Awards made under the Criminal Injuries Compensation Act are cost shared between the Federal Government and the Government of Saskatchewan. The contribution by the Federal Government amounts to 50% of the Awards or a maximum of 10 cents per capita of the population of Saskatchewan, whichever is the lesser. The Federal Government does not share administrative costs.

COMPENSATION OF AWARDS

The Act provides that the Board has exclusive jurisdiction to determine whether any person is entitled to compensation as well as the amount of the award. Compensation may be awarded in the form of a lump sum payment and/or periodic award. The majority of the awards are in the form of a lump sum payment, with these awards on the average being approximately \$2,212.00.

	<u>1985-86</u>	<u>1984-85</u>	<u>1983-84</u>
Lump Sum Payments	116	93	149
Periodic Awards	8	8	6

PUBLIC AWARENESS

Efforts continue in an attempt to increase public awareness of the Act. The Board tries to make the public more aware of the compensation that may be available to the victims of crime. Thousands of pamphlets have been distributed to hospitals, doctors, dentists, police officers, victim assistance agencies, sexual assault and crisis centres, ambulance drivers, band councils, and rural municipalities.

A selection of typical Board orders are provided to many news agencies for publication.

STATISTICAL SUMMARIES

	<u>1985-86</u>	<u>1984-85</u>	<u>1983-84</u>
Applications received	139	176	136
Applications denied	36	52	14
Decisions completed and awards granted (includes second hearings and re-applications)	124	101	155
Interim Awards	0	4	0
Reduced Awards	5	15	23
Supplementary Awards	14	16	8
Lump sum payments	116	93	149
Periodic Awards (does not include ongoing payments on claims adjudicated in previous years)	8	8	6

TOTAL AMOUNTS PAID OUT

Lump sum payments	\$256,605.56	\$297,921.24	\$407,400.03
Periodic payments	<u>\$35,895.65</u>	<u>\$59,074.40</u>	<u>\$53,779.87</u>
TOTAL	\$292,501.21	\$356,995.64	\$461,179.00

Average Award (does not include periodic payments).	\$2,212.12	\$3,203.45	\$2,734.23
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	<u>1985-86</u>	<u>1984-85</u>
Personal Injury Claims Received	134	96
Death Benefit Claims Received	5	5
Number of offenders charged according to orders where compensation was granted	90 (72.58%)	79 (78.22%)

CONSOLIDATED SUMMARY OF AWARDS

	<u>1985-86</u>	<u>1984-85</u>
Medical Expenses	\$ 7,868.31 (2.69%)	\$ 12,021.39 (3.37%)
Earnings	44,112.29 (15.08)	125,132.96 (35.04)
Pecuniary Loss	28,232.29 (9.65)	25,611.00 (7.17)
Pain and Suffering	178,280.00 (60.95)	170,860.00 (47.87)
Funeral Expenses	10,592.22 (3.62)	1,439.70 (.40)
Other	12,873.03 (4.40)	13,733.85 (3.86)
Counsel Fees	10,528.07 (3.60)	8,015.69 (2.25)
Witness and Medical Reports	<u>15.00 (.01)</u>	<u>141.05 (.04)</u>
 TOTAL	 \$292,501.21 100%	 \$356,955.64 100%

CRIMES INVOLVED IN AWARDS GRANTED

<u>CRIME</u>	<u>CRIMINAL CODE</u>	<u>1985-86</u>	<u>1984-85</u>	<u>1983-84</u>
Assault	245	82	64	104
Attempted murder	222	7	4	13
Robbery	302	3	3	8
Murder	218	8	4	7
Sexual assault	246	14	1	0
Bodily harm with intent	228	2	4	3
Robbery with violence	303	2	7	3
Aggravated sexual assault	246.3	0	8	2
Overcoming resistance	230	0	0	2
Dangerous driving	233	0	0	2
Indecent assault	146	0	0	1
Death by criminal negligence	203	0	0	1
Manslaughter	219	1	1	1
Impaired driving	234	1	1	1
Kidnapping	247	0	0	1
Acts of gross indecency	157	3	2	0
Intimidation by threats	381	0	1	0
Sexual intercourse with female	146	0	1	0
Rape	144	<u>0</u>	<u>0</u>	<u>6</u>
TOTAL AWARDS		124	101	155

AGES OF VICTIMS (based on awards granted)

<u>Age</u>	<u>1985-86</u>	<u>1984-85</u>	<u>1983-84</u>
1-10	4	1	0
11-20	29	16	41
21-30	46	36	57
31-40	23	20	29
41-50	11	11	16
51-60	5	11	6
61-70	2	1	4
71-80	3	4	1
80 over	<u>1</u>	<u>1</u>	<u>1</u>
TOTAL	124	101	155
 Oldest Victim	 90	 90	 87
Youngest Victim	4	6	14
Male Victims	85	66	111
Female Victims	39	35	44

APPLICATIONS BY AREA

Buffalo Narrows	1
Calgary, Alberta	1
Carrot River	1
Codette	1
Dinsmore	1
Edmonton, Alberta	1
Gravelbourg	1
Hanley	1
High Prairie, Alberta	1
Hobbema, Alberta	1
Hudson Bay	1
Kerrobert	1
La Loche	2
Liebenthal	1
Livelong	1
Macnutt	1
Martensville	1
Meadow Lake	1
Medicine Hat, Alberta	2
Melville	2
Melfort	1
Moose Jaw	6
North Battleford	1
Prince Albert	9
Regina	33
Rosthern	1
Sanctuary	1
Saskatoon	51
Shellbrook	1
Sniley	1
Springwater	1
Sturgeon Lake	2
Turtleford	1
Vanscoy	1
Watrous	1
Whitehorse, Yukon	1
Wilcox	2
Wynyard	1
Yellow Creek	1
TOTAL	139

EXAMPLES OF DECISIONS MADE ON CLAIMS

Following are examples of actual decisions made on claims.

Illustration No. 1. Award No. 1329/85

At the time of the incident, the applicant was 20 years old and resided in Melville, Saskatchewan.

On June 20, 1984 at approximately midnight, the applicant was sleeping when three men broke into his residence. One of the men demanded to know where his ex-girlfriend was. When the applicant indicated that she was in the bathroom, he was assaulted by one of the males. This assault was apparently unprovoked.

The applicant was taken to the hospital, where it was determined that he suffered from the following injuries:

- loss of consciousness
- bilaterally contused eyes
- fractured nose
- an undisplaced fracture of the floor of the left orbit

The applicant underwent a closed reduction of the fractured nasal bones. He recovered from the injuries without complications, but suffered a malocclusion. The applicant, therefore, may require additional dental treatment.

"J.L." is charged with assault causing bodily harm, contrary to Section 245 of the Criminal Code of Canada. This matter is presently before the Courts.

This application is for pain and suffering, net lost income and miscellaneous expenses incurred. The applicant received benefits from a dental plan and Sun Life Assurance Company.

The Board finds that the applicant was a victim of a crime within the meaning of the Act, and makes the following Award:

TO THE APPLICANT:

For pain and suffering	\$1,750.00
For ambulance	51.00
For medical bills	105.50
For damaged clothing	14.00
For dental work	290.00
For net income loss	1,031.08
For travelling expenses	17.70
	<u>\$3,259.28</u>

TO FATHER OF APPLICANT:

For net income loss	\$ 120.00
For travelling expenses	74.88
	<u>194.88</u>

TO SOLICITOR:

For disbursements	\$ 116.86
Contribution towards counsel fees	300.00
	<u>416.86</u>

\$3,871.02

Illustration No. 2. Award No. 1369/85

At the time of the incident, the applicant was 29 years old and resided in Prince Albert Saskatchewan.

On November 7, 1984, at approximately 1:00 a.m., two male acquaintances arrived at the applicant's residence. As the evening progressed the applicant was sexually assaulted and severely beaten by the two males. The offenders left at approximately 8:00 a.m. and the applicant was then able to obtain assistance.

The applicant was taken to the hospital where it was determined that he suffered from the following injuries:

- two fractured ribs
- undisplaced fracture of the nose
- fracture of the right mandible
- two black eyes
- multiple bruises and abrasions

The fractured mandible was wired on November 9, and the applicant was discharged from the hospital on November 14. The fractures to his nose and ribs were treated conservatively. The wires were removed on December 21, 1984. The applicant recovered from the physical injuries, but is still suffering anxiety and emotional trauma.

"B.L." and "V.L." were convicted of sexual assault, and assault causing bodily harm, contrary to Sections 246.3 and 245.1 of the Criminal Code of Canada and were each sentenced to 2 years less 1 day goal.

This application is for pain and suffering and miscellaneous expenses incurred.

The Board finds that the applicant is a victim of a crime within the meaning of the Act, and makes the following Award:

TO THE APPLICANT:

For pain and suffering and emotional trauma, the amount of \$3,600.00 to be paid in monthly installments of \$300.00 for the period of 12 months or until the death of the applicant, commencing October 1985.

\$3,600.00

\$3,600.00

TO THE APPLICANT:

Contribution towards damaged clothing

\$ 35.00

For medication

\$ 3.95

\$ 38.95

TOTAL AWARD

\$3,638.95

Illustration No. 3 Award No. 1379/85

This application is made with respect to the death of the applicant's daughter, "B.W.", who was stabbed to death on September 27, 1984 while working as a night desk clerk in a hotel in Swift Current, Saskatchewan.

"R.P." was convicted of murder, contrary to Section 218.1 of the Criminal Code of Canada and was sentenced to 19 years incarceration.

This application is for funeral and related expenses. The applicant received benefits from the Worker's Compensation Board and Canada Pension in the amount of \$1,953.34.

The Board finds that the deceased was a victim of a crime within the meaning of the Act and makes the following Award:

TO THE APPLICANT:

For funeral and related expenses (less benefits received)	\$2,000.00
Contribution towards monument	500.00
Contribution towards counsel fees	261.72
For miscellaneous expenses	165.00
Contribution towards telephone calls	100.00
Travelling expenses to attend funeral	88.68
Expenses to attend hearing	316.85
For net wage loss to attend hearing	<u>71.84</u>
	\$3,504.09

TO SOLICITOR:

Contribution towards counsel fees	<u>\$ 300.00</u>
	\$ 300.00
TOTAL AWARD	<u><u>\$3,804.09</u></u>

Illustration No. 4 Award No. 1378/85

This application is made on behalf of "L.B." age 16; "C.B." age 14; and "R.B." age 10, who were sexually assaulted on various occasions by their father "A.B.". These incidents were reported to the Saskatoon City Police Department on November 24, 1983.

The victims did not suffer from any physical injuries as the result of these attacks, but all three victims suffered severe emotional trauma and anxiety. The children were removed from their father's residence and placed in a foster home for a period of 6 months. The eldest daughter is now residing with her aunt and the youngest two daughters are presently residing with their mother in Saskatoon.

"A.B." was convicted of incest and acts of gross indecency, contrary to Sections 150 and 157 of the Criminal Code of Canada, and was sentenced to a total of 18 months incarceration and 12 months probation.

This application is for pain and suffering and emotional trauma.

The Board finds that the children were victims of a crime within the meaning of the Act and makes the following Award:

TO "L.B." :

For pain and suffering and emotional trauma, to be held
in trust with the Office of the Public Trustee until she
reaches the age of majority

\$5,000.00

\$5,000.00

TO "C.B." :

For pain and suffering and emotional trauma, to be held
in trust with the Office of the Public Trustee until she
reaches the age of majority

\$2,000.00

\$2,000.00

TO "R.B." :

For pain and suffering and emotional trauma, to be held
in trust with the Office of the Public Trustee until she
reaches the age of majority

\$2,000.00

\$2,000.00

TOTAL AWARD

\$9,000.00

1301/85 The applicant, a 30 year old male, was looking for a place to purchase cigarettes at midnight, when two men approached him and said they knew a place that was open. Reluctantly the applicant went with the two men who then drove out to the country and assaulted him. They made several threats against his life and the lives of the his family. The applicant was then robbed and thrown out of the vehicle. The applicant contacted the police and the offenders were arrested. The applicant suffered from a painful right knee and anxiety. Award \$1,500.00 for pain and suffering only.

1303/85 The applicant, a 33 year old female was with her common-law husband and a friend and were crossing a parking lot to a restaurant when a man and a woman passed them and apparently made several rude comments. When the applicant's common-law husband asked them what they had said, he was attacked by the male. When the applicant endeavoured to stop the fight, she was stabbed by the female assailant. The offenders were arrested. The applicant suffered a stab wound to her lower abdominal wall and suffered from shock. Award \$1,124.90 (pain and suffering \$800.00)

1307/85 The applicant, a 28 year old male, was returning home from a hunting trip when four men approached him, grabbed his gun and pulled a knife and threatened him. He was assaulted and dragged into his apartment where he was assaulted again. The offenders were arrested and charged with assault. The applicant suffered bruises and contusions, lacerations to his chin and a fractured mandible. Award \$3,454.02 (pain and suffering \$2,900.00).

1313/85 The applicant, a 25 year old female was severely beaten and raped by a man who broke into her apartment. The offender was arrested and charged with sexual assault and break and enter. The applicant suffered a fractured nose, multiple bruises and tenderness to her neck and spine. She also suffered emotional trauma and anxiety. Award \$4,496.54 (pain and suffering and emotional trauma \$4,000.00).

1315/85 The applicant, a 58 year old female, was working in a hotel, when she was attacked by a man and was severely beaten and raped. The offender was convicted of sexual assault. The applicant suffered extensive facial and scalp bruising, bruises from attempted strangulation, lacerations to left and right temples, and bruising to her upper chest. She also suffered a fractured rib, a fractured mandible and suffered a substantial loss of hair. Award \$5,000.00 for pain and suffering and emotional trauma.

1320/85 The applicant, a 29 year old male, was on duty at a Correctional Centre and was attempting to subdue a prisoner, when the prisoner kicked him in the armpit. The offender was disciplined within the Correctional Institute. The applicant suffered an injury to his right armpit which caused trauma to the branchial plexus. Award \$3,586.28 (pain and suffering \$2,500.00).

1324/85 The applicant, a 14 year old female, reported to the police that she had been a victim of incest by her father over a period of several years. The offender was convicted and sentenced to 1 year goal. Award \$5,000.00 for pain and suffering and emotional trauma.

1332/85 The applicant, a 28 year old male, was picking up some of his articles at his former residence, when a argument occurred between the applicant and another male. The applicant was assaulted by the male and stabbed in the left posterior chest wall. The offender was apprehended and charged with assault. Award \$3,147.17 (pain and suffering \$1,200.00).

1338/85 The applicant, a 17 year old male, was sexually assaulted by another male. The applicant suffered emotional trauma as a result of this attack. The offender was convicted of sexual assault. Award \$1,253.95 (pain and suffering and emotional trauma \$1,250.00).

1341/85 The applicant, a 32 year old male was sitting in a hotel beverage room when a man approached him and started a scuffle and slashed him with a knife. The offender was convicted of assault. The applicant suffered a laceration to his left ear and right hand, a superficial laceration to his left thumb, swollen top lip and bruising and swelling to his forehead. Award \$1,134.63 (pain and suffering \$900.00).

1345/85 The applicant, a 16 year old male, was sitting in his vehicle when a man approached and asked the applicant to race vehicles. When the applicant refused, the man assaulted him. The offender was convicted of assault. The applicant's right upper central incisor was knocked out, and he suffered abrasions to his upper and lower lips. Award \$962.10 (pain and suffering \$750.00).

1350/85 The applicant, a 27 year old male, was playing ball hockey, when he was punched in the face by a player of the opposing team. The applicant suffered an undisplaced fracture of the nasal bones, and two black eyes. The offender was convicted of assault, fined \$200.00 and placed on probation. Award \$1,127.63 (pain and suffering \$900.00).

1356/85 The applicant, a 25 year old male, was working in a service station when an intoxicated male entered the premises and pushed the applicant into a shelving unit. The offender was not apprehended. The applicant suffered a loss of consciousness, concussion, headaches, blurred vision, cervical strain and contusions and bruising to his right cheek. Award \$1,016.00 (pain and suffering \$1,000.00).

1359/86 The applicant, a 24 year old male, was on duty as a peace officer, when he was dispatched to investigate an accident. When the applicant attempted to arrest a male driver for impaired driving, the man attacked the applicant. The offender was charged with assault. The applicant suffered a bimalleolar fracture of the right ankle. Award \$2,304.03 (pain and suffering \$2,000.00).

1361/85 The applicant, a 21 year old male, was playing cards at a friend's residence when one of the player's became upset at losing and quit the game. The male pushed the applicant down the stairs causing a comminuted fracture of the left tibia and fibula with displacement and rotational malalignment. The offender was charged with assault. Award \$4,266.51 (pain and suffering \$1,500.00).

1372/85 The applicant, a 34 year old female, was walking home when a man ran up behind her and pushed her to the ground. The applicant struggled with the stranger until she handed over her purse. The offender was not apprehended. The applicant suffered abrasions and bruises to her hands and knees and pain in her right arm. Award \$1,022.08 (pain and suffering \$700.00).

1375/85 The applicant, a 33 year old male, was driving home when he noticed a large dog attacking a smaller dog. He followed the larger dog home and approached the resident of the house and informed him that his dog was loose. The man became quite angry and assaulted the applicant with a baseball bat. The offender was charged with assault. The applicant suffered multiple bruises and abrasions to his arms, ribs, left shoulder and right hand. He also suffered a laceration to his forehead and scalp area. Award \$1,921.26 (pain and suffering \$1,500.00).

1383/85 The applicant, a 45 year old male, was sitting in a licensed beverage room with his father when a argument erupted between the applicant and another male. The applicant requested the male to leave his table when he was attacked and assaulted. The offender was convicted of assault. The applicant suffered multiple lacerations to the right side of his face totalling 17 cm, a conjunctival hemorrhage of the right eye, and bruises to his rib cage and scapula. Award \$2,593.28 (pain and suffering \$1,250.00).

1386/85 The applicant, a 25 year old female, was assaulted in her residence by her estranged husband. The applicant suffered bruises and pain to her left arm and right shoulder. The offender was charged with assault causing bodily harm. Award \$1,093.31 (pain and suffering \$800.00).

1390/85 The applicant, a 53 year old female, was assaulted by several people while visiting her brother. The applicant suffered a transverse fracture to the proximal phalanx of the right fifth finger, laceration to left hand and amputation of the left thumb tip. She also suffered a small avulsion fracture of the right lateral malleolus of the outside of the right ankle and a fractured left fifth finger. The offender was convicted of aggravated assault. Award \$2,171.86 (pain and suffering \$2,000.00).

1395/85 The applicant, a 46 year old male, was awakened by a male at his front door who demanded to speak to his daughter. When the applicant refused this demand, he was assaulted. The offender was convicted of aggravated assault. The applicant suffered a fracture of the nasal bones, a fracture through both lower orbital margins and lateral walls of the maxillary antra, a large haematoma to the left eye area, multiple abrasions and bruises to face and neck area. Award \$6,011.51 (pain and suffering \$2,750.00).

1397/85 The applicant, an 18 year old female, was riding her bicycle on a street when an unknown male knocked her from her bike. The applicant fell to the pavement. The offender was convicted of assault. The applicant suffered a skull fracture, loss of consciousness, an epidural hematoma over the left temporoparietal region, headaches, dizziness, black eye, bruises and abrasions to her left arm and hip. Award \$2,555.84 (pain and suffering \$2,000.00).

1401/85 The applicant, a 26 year old male was leaving work when he was attacked by three men who assaulted him. The offenders were not apprehended. The applicant suffered a temporary loss of consciousness, lacerations to his eyebrow and left cheek, bruising to his nose, cut lip, hematomas to his left elbow, forearm, ribs and legs. Award \$1,039.24 (pain and suffering \$850.00).

1403/85 The applicant, a 36 year old male, was on duty as a peace officer, when he was assaulted by two males in a residence. The offenders were convicted of assault. The applicant suffered a mild concussion, headaches, upper thoracic and cervical strain along with left temporor-mandibular joint dysfunction, pain and swelling in the left jaw area and multiple bruises and contusions. Award \$2,560.95 (pain and suffering \$2,300.00).

1408/85 The applicant a 25 year old male, was playing cards with his friends. One of the men became upset and broke a beer bottle and cut the applicant several times. The offender was charged with aggravated assault. The applicant suffered a laceration to the right distal forearm cutting the musculo-tendonous junction of the superficial flexor tendons to the index and middle fingers, a laceration over the right thumb severing tendons, a laceration to the right side of his face, a laceration to the left thumb with transection of the flexor tendon to his fifth finger, laceration between the 4th and 5th finger and around the left thumb with severance of tendons which required repair and skin grafting. Award \$2,034.10 (pain and suffering \$1,750.00).

1413/85 The applicant, a 26 year old male, was walking through an alley to a friend's house when he was attacked and beaten by several unknown persons. The offenders were not apprehended. The applicant suffered an undisplaced fracture of the right distal ulna, a laceration over the midline parietal scalp area, large contusions over the posterior aspect of the left thigh, multiple bruises and abrasions. Award \$1,795.51 (pain and suffering \$1,500.00).

1417/85 The applicant, a 20 year old male, was assaulted by a male in a parking lot. The offender was charged with assault causing bodily harm. The applicant suffered a displaced fracture of the nasal bones and bruises to the facial area. Award \$1,530.00 (pain and suffering \$1,200.00).

1419/86 The applicant, a 36 year old female was at her brother's residence when she was attacked and beaten by him. The offender was charged with assault. The applicant suffered a laceration to the lid of her right eye, bruises and contusions to her arms and legs, bruising to her right eye area and headaches. Award \$1,059.00 (pain and suffering \$1,050.00).

1425/86 The applicant, a 32 year old male was riding his bicycle onto a wheelchair ramp on a sidewalk, when a stranger pushed him off his bicycle. The offender was convicted of assault. The applicant suffered a torn medial and lateral ligament to his left ankle, abrasion and bruises to his left calf. The applicant recovered without any complications. Award \$1,057.50 (pain and suffering \$1,050.00).

1427/86 The applicant, a 36 year old male, was attempting to stop a thief from assaulting his neighbour when he was injured. The offender was convicted of assault. The applicant suffered a comminuted fracture of the right upper tibia and tibial plateau. Award \$2,589.60 (pain and suffering \$2,500.00).

1433/86 The applicant, a 39 year old male was drinking in a camper trailer with friends, when one male became violent and attacked the applicant. The offender was charged with assault causing bodily harm. The applicant suffered a fractured dislocation of the right elbow, a fracture of the distal tip of the right ulna, torn ligaments, extensive bruising and abrasions to face and body, and a damaged tooth. Applicant lacks 25 degrees of extension of his elbow as the result of these injuries. Award \$8,096.99 (pain and suffering \$2,350.00).

1436/86 The applicant a 24 year old female was assaulted and had soap thrown in her eyes by a man at her boyfriend's residence. The offender was convicted of assault. The applicant suffered abrasions to right heel, thigh, left leg and chest area, tenderness to upper spine and left occipital region, headaches, conjunctivitis of the right eye. Award \$770.20 (pain and suffering \$700.00).

1442/86 The applicant, a 27 year old male was driving his car when a man approached him and assaulted him. The offender was not apprehended. The applicant suffered bruising to left eye and lower lip, 2 cm. laceration to left ear, perineal tenderness and blurring of vision. Award \$1,100.56 (pain and suffering \$700.00).

1443/86 The applicant a 32 year old male, was employed as a bouncer, when he was attacked by a man wielding a razor knife. The offender was charged with aggravated assault. The applicant suffered an 8 cm. laceration to his forehead, headaches, pain to his neck and shoulder areas, numbness to his right arm and extreme anxiety and depression. The applicant was threatened several times by the offender's friends not to testify in court and was attacked on two of these occasions. The applicant moved from the province and sought professional help to deal with his psychological problems. Award \$3,006.00 (pain and suffering and emotional trauma \$3,000.00).

1448/86 The applicant, a 31 year old blind male was assaulted and robbed while returning from shopping. The offenders were charged with robbery with violence. The applicant suffered a 1 cm. laceration to his right eyebrow, laceration to his upper eyelid and abrasions and contusions. A few months after the incident, he accepted a ride home from someone who claimed they knew him and he was again assaulted and robbed. The applicant recovered from the physical injuries but is paranoid about leaving his apartment. Award \$1,773.00 (pain and suffering and emotional trauma \$1,500.00).

SUMMARIES OF PERIODIC AWARDS

1312/86 This Award is supplementary to the previous awards in which the applicants received a total of \$27,076.34 for pecuniary loss, funeral and miscellaneous expenses incurred as the direct result of the death of the applicants' brother and sister-in-law who were shot to death. This application is for further pecuniary loss with respect to the maintenance of the three surviving children. Award \$6,480.00 to be paid in installments as follows: \$360.00 per month to the brother for maintenance on behalf of two of the surviving children and \$180.00 to the sister for maintenance of one surviving child.

1361/86 This award is supplementary to the previous awards in which a 37 year old widow with three dependent children are the surviving dependents of the deceased husband who was shot to death. This award is for continued pecuniary loss to be paid in 12 monthly installments of \$535.59 for a total of \$5,527.09.

1381/86 This award is supplementary to the previous awards in which the applicant received a total of \$9,201.78 for funeral and pecuniary loss with respect to the death of his daughter who was murdered. This award is for maintenance of the deceased's surviving child. Twelve monthly installments will be made in the amount of \$100.00 for the period of one year. Award \$1,200.00.

1400/86 The applicant, a 60 year old male, applied for further pecuniary loss with respect to a shooting incident which left him unable to be gainfully employed. This supplementary award is to be made in monthly installments of \$700.00 for a period of 1 year. Award \$8,400.00.

SUMMARIES OF REDUCED AWARDS

1343/85 The applicant, a 17 year old female was hitch-hiking when she was picked up by a male and sexually assaulted. The award was reduced by 20% because she put herself into a risky situation when she voluntarily accepted a ride from a stranger.

1423/86 The applicant, a 26 year old male was drinking extensively at a party when a argument erupted between the applicant and another male. The applicant was attacked and assaulted by this man with a baseball bat. This award was reduced by 30% due to the applicant's state of intoxication at the time of the incident and due to the fact the applicant's earlier altercation with the offender contributed to his eventual injury.

1430/86 The applicant, a 46 year old male was waiting at a bus stop and was apparently making profane remarks to another man who was also waiting for the bus. The stranger apparently struck the applicant causing him to fall onto the sidewalk, causing severe injuries. This award was reduced by 50% because the applicant provoked the incident that lead up to his injuries. This award was reduced pursuant to Section 11(a) of the Act.

1446/86 The applicant, a 33 year old male was leaving a licensed beverage room when two men approached and stabbed him several times. This award was reduced by 50% pursuant to Section 11(a) of the Act because of the applicant's advanced state of intoxication at the time of the incident and his failure to cooperate with the medical authorities.

SUMMARIES OF DENIALS

1306/86 The applicant, a 25 year old male was in an area where the police had set up a perimeter around a residence where a suspect had discharged a firearm. All persons were asked to leave this area. The applicant was inside the perimeter taking photographs of the event, when he was shot in the face. The applicant suffered the loss of four teeth, gunshot wound to his thumb, lower lip, tongue, and anterior alveolar region of the mandible. This application was denied because the applicant did not act prudently under the circumstances, and deliberately exposed himself to danger that could have been reasonably anticipated.

1314/85 The applicant, a 40 year old male, was a passenger in a vehicle that attempted to pass another vehicle on a dusty grid road and collided with an oncoming vehicle. The applicant was not wearing a seat belt. The applicant suffered an undisplaced fracture of the right fibula, fractures at T5, 6 and 8 vertebrae, a fracture of the right humeral tuberosity and lower left lobe atelectasis. The offender was charged under the Vehicles Act. This application was denied as the information presented does not support a finding that the applicant was injured as the result of a crime of violence as set out in the Act.

1322/85 The applicant, a 27 year old male was parked in front of a convenience store, when a male in the next vehicle opened his door and accidentally hit the applicant's truck. The applicant and the male exchanged words and a fight ensued. The applicant then observed an altercation between a male, a female and his sister. The applicant went to aid his sister and began fighting with the male. At that time, the male he had previously been fighting with entered the fight and stabbed the applicant. The applicant suffered a 1 inch laceration to the right cheek, a 1½ inch laceration to the left cheek, a laceration to his jawbone and neck and a small pneumothorax to the right side. This application was denied as the applicant voluntarily put himself into circumstances that eventually contributed to his injury. The evidence also disclosed that the applicant was quite intoxicated at the time of the brawl. The Board takes the position that the applicant was the author of his own misfortune.

1336/85 The applicant, a 21 year old male was attending a party when he was struck in the face by a man wielding a beer bottle. The applicant suffered a laceration to his left upper eyelid, ruptured left globe and uveal prolapse, and right facial lacerations. As the result of this incident, the applicant is blind in his left eye. This application was denied because the applicant voluntarily put himself into circumstances that eventually led to his injuries and that the applicant was highly intoxicated at the time of the incident.

1337/86 The applicant, a 22 year old male was asked to leave along with his companion from a licensed beverage room because they were intoxicated and brought their own liquor into the establishment. An argument took place and the applicant and his friend were allegedly assaulted by the bouncer. This application was denied as the applicant was extremely intoxicated at the time of the incident and was the author of his own misfortune.

1344/85 The applicant, a 20 year old male, was attending a dance when a male apparently mistook the applicant for another person and punched him in the face several times and walked away. The applicant pursued the offender and asked him if he wanted to fight to which the offender agreed and they continued the fight outside. This application was denied because the applicant was intoxicated at the time of the incident, and acted in a rash manner which eventually contributed to his injury and there is no clear information presented that would establish that the applicant cooperated with the law enforcement authorities at his earliest opportunity.

1348/85 The applicant, an 18 year old male was attending a dance with his girlfriend when another male started to make passes at her. The applicant took offence to this and an argument erupted and a fight ensued. This application was denied as the applicant failed to report the matter to the proper law enforcement authorities.

1353/85 The applicant, a 26 year old male was leaving a licensed beverage room and apparently exchanged a few words with a prostitute on the street. Some passersby also exchanged words with the applicant and he followed these people into the hotel and challenged them to a fight. Two managers from the hotel escorted the applicant out of the premises. The applicant saw the prostitute and her male companion on the street and apparently challenged the man to a fight. The man pulled a knife and stabbed the applicant. This application was denied pursuant to Section 11(a) of the Act, as the applicant was very intoxicated at the time of the incident and put himself in hazardous circumstances.

1355/85 The applicant, a 22 year old female made an application with respect to the death of her daughter who was assaulted by the applicant's husband and later died because of her injuries. This application was denied because the amount the applicant received from other sources exceeds that which the Board would have recommended by way of compensation.

1358/85 The applicant, a 23 year old female stated that she was assaulted by her boyfriend at his residence during a party. This application was denied pursuant to Section 12(1)(b) of the Act, as the incident was not reported to the proper law enforcement authorities within a reasonable time.

1365/85 The applicant, a 45 year old male picked up two strangers in Saskatoon and travelled to Biggar to pick up the applicant's vehicle which was being held by the RCMP. They drank in excess all the way there and when they arrived they discovered that they were too intoxicated to drive the vehicle back. They left Biggar and an argument erupted and a fight ensued. The applicant was severely beaten, dumped out of his vehicle and left to die. This application was denied pursuant to Section 11(a) because the applicant stated at the hearing that his recollection of the circumstances surrounding the incident were very vague because of his degree of intoxication at that time.

1368/85 The applicant, 23 year old male and his friend became involved in an altercation in a parking lot. The applicant allegedly provoked this incident and was extremely intoxicated at the time in question. This application was therefore denied pursuant to Section 11(a) of the Act.

1371/85 The applicant, a 28 year old male was at a party when an argument erupted between the applicant and another male. The applicant apparently tried to hit the male with a glass which eventually broke injuring the man. The man then retaliated with a beer bottle and struck the applicant across the face. The applicant was very intoxicated at the time of the incident. This application was denied pursuant to Section 11(a) of the Act.

1388/85 The applicant, a 55 year old male went to collect money that was allegedly owed to him. An argument erupted between the two males and the man pointed a gun at the applicant. When the man put down the gun, the applicant grabbed the man by the shirt. In an effort to free himself, the man struck the applicant on his left hand. This application was denied pursuant to Section 12(1)(b) of the Act as the applicant did not report the incident to the law enforcement authorities as soon as reasonably possible.

1391/85 The applicant, a 36 year old female was a passenger in a vehicle that was involved in an accident. The offender was charged under the Vehicle's Act. This application was denied as the applicant did not adequately justify entitlement to compensation under the provisions of the Act and she failed to adequately pursue her entitlement with Saskatchewan Government Insurance.

1398/85 The applicant, a 20 year old male was walking home when a male acquaintance ran into the applicant with his vehicle. This application was denied because the amount received by the applicant from other sources exceeds that which the Board would have recommended.

1409/85 The applicant, a 27 year old male was stabbed in the face in a licensed beverage room. The offender could not be identified due to the intoxicated condition of the applicant. This application was denied because the information provided by the applicant was sketchy and inadequate. The applicant was in an advanced stage of intoxication at the time of the incident, and failed to cooperate with the law enforcement or medical authorities.

1429/86 This application is made with respect to the death of the applicant's son who was fatally shot. This application was denied because the applicant received money from other sources which exceeds the amount that the Board would have awarded.

1432/86 The applicant, a 54 year old male was found badly beaten in a ditch. The applicant had been drinking quite heavily the evening before and could not remember who he had been fighting with or why the fight ensued. This application was denied because there is no clear evidence that the applicant was a victim of a crime as contemplated by the Act.

1434/86 The applicant, a 21 year old female was walking with her fiance along a highway when a man in a passing vehicle threw a beer bottle out of the vehicle causing her injury. The offender was charged under the Vehicle's Act. This application was denied as the injuries were not incurred as the result of a criminal offence as contemplated by the Act.

1439/86 The applicant, a 39 year old female was apparently waiting for a taxi when three people approached her. She stated that they grabbed her purse and stabbed her. This incident was reported to the police by the hospital staff, but the applicant was unwilling to make a statement or cooperate with the police and therefore this application was denied under Section 12(b) of the Act.

1447/86 The applicant, a 31 year old male was drinking in a beverage room when he began arguing with a female patron. The argument continued with the female's male companion and the applicant and the male decided to settle their differences outside. Once outside, a pushing and shoving match proceeded until the male pulled a knife and stabbed the applicant. This application was denied because the applicant contributed to his own misfortune pursuant to Section 11(a) of the Act.